



CUNNINGHAME  
HOUSING ASSOCIATION

*More than just a landlord*

# Board of Management Minutes

**Date of Meeting: 18<sup>th</sup> August 2022**

Please note that these minutes have been edited to remove any information relating to personal/confidential/commercially sensitive or of a personal nature.

# CUNNINGHAME HOUSING ASSOCIATION LTD

Minutes of Board of Management Meeting

Held on Thursday 18<sup>th</sup> August 2022 at 2.15 pm in the Association's Quayside Offices,  
Marina Quay, Dock Road, Ardrossan KA22 8DA



Present	In Attendance
John Kelly (Chair) Janet Strang Lesley Keenan John Nisbet Elizabeth Shedden John McLaren (MS Teams) June Fenelon Brian McCabe Margaret Davison Willie Gibson Cllr Stephen Canning (East Ayrshire) Cllr Scott Davidson (North Ayrshire)	Frank Sweeney, Group Chief Executive Elaine Nimmo, Minute Secretary Kirsteen Wyllie, Minute Secretary

PRIORITY RED – SECTION 1 – STANDING ORDER ITEM AND GOVERNANCE ITEMS		ACTION
1.	<b>Apologies</b> Apologies were received from Liam Loudon, Brenda Johnstone and Drew Hall.	
2.	<b>Chairperson's Remarks</b> <ol style="list-style-type: none"> <li>1 The Chair welcomed Cllr Stephen Canning and Cllr Scott Davidson who have newly joined the Board as representatives of North and East Ayrshire Council following recent local elections. The Chair also welcomed John McLaren who joined the meeting via MS Teams.</li> <li>2 The Chair asked all Members to ensure that their mobile phones are switched off.</li> <li>3 As there were confidential items on the Agenda the Chair read out the following confidentiality statement:   <b>In compliance with the Regulatory Code of Governance and Board Members' Code of Conduct all items detailed in this notice as being confidential should not be discussed with any external party either prior to or after said meeting by any Member of the Board of Management.</b>   <b>All members should note that when the Group CEO/Executive Directors/Officers are giving or presenting their report that there will be no interruptions to allow them to finish their reports. Questions can be asked after the presentation.</b> </li> <li>4 The Group CEO advised members that Ian Macpherson, the Community Participation &amp; Engagement Officer was looking for volunteers to carry out the judging of this year's Garden Competition. The available dates are: 25th, 26th and 29th August and 1st, and 2nd September. Janet Strang, Elizabeth Shedden and June Fenelon all volunteered. Ian Macpherson to contact them directly to make appropriate arrangements.</li> </ol>	<b>CEO</b>
3.	<b>Declaration of Interest</b> Item 26 – CHA Proposed Charity 2022/23 – Willie Gibson declared an interest with regard to this item and will leave the meeting when being discussed.	

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<p>3. As a CHA staff member supports the said charity all staff members present at the meeting will leave when a decision was being discussed.</p> <p>All declarations have been recorded in the Registering &amp; Declaring Interests Register in accordance with Governance Policy No: CE0028 Entitlements, Payments and Benefits Policy.</p>	<b>CEO</b>																																				
<p>4. <b>Requirement of the Writing (Scotland) Act 1995</b> The Group CEO informed members that in accordance with the Requirement of the Writing (Scotland) Act 1995 the approved 20-year lease for the DLO Office/Hub have been recorded in the Seal Register.</p>																																					
<p>5. <b>Adoption of Minutes and Business Arising from same</b></p> <table border="1" data-bbox="240 864 1362 1010"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Board of Management Meeting (CONFIDENTIAL) 30<sup>th</sup> June 2022</td> <td>Janet Strang</td> <td>Lesley Keenan</td> </tr> </tbody> </table> <table border="1" data-bbox="240 1048 1362 1160"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Special Board of Management Meeting (CONFIDENTIAL) 14<sup>th</sup> July 2022</td> <td>Brian McCabe</td> <td>John Nisbet</td> </tr> </tbody> </table> <table border="1" data-bbox="240 1198 1362 1310"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Audit Sub Committee 30<sup>th</sup> June 2022</td> <td>Margaret Davison</td> <td>Elizabeth Shedden</td> </tr> </tbody> </table> <p>Matters Arising: The Group CEO advised members that the Annual Internal Audit Plan 2021/22 year end sign off report will be presented at the Special Board of Management Meeting of 25<sup>th</sup> August 2022.</p> <table border="1" data-bbox="240 1458 1362 1603"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Finance &amp; Corporate Services Sub Committee (NON-CONFIDENTIAL) 7<sup>th</sup> July 2022</td> <td>Janet Strang</td> <td>John Nisbet</td> </tr> </tbody> </table> <table border="1" data-bbox="240 1641 1362 1787"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Finance &amp; Corporate Services Sub Committee (CONFIDENTIAL) 7<sup>th</sup> July 2022</td> <td>Janet Strang</td> <td>John Nisbet</td> </tr> </tbody> </table> <table border="1" data-bbox="240 1861 1362 2009"> <thead> <tr> <th>Meeting</th> <th>Proposed</th> <th>Seconded</th> </tr> </thead> <tbody> <tr> <td>Housing &amp; Property Services Sub Committee (NON-CONFIDENTIAL) 21<sup>st</sup> July 2022</td> <td>Elizabeth Shedden</td> <td>June Fenelon</td> </tr> </tbody> </table>	Meeting	Proposed	Seconded	Board of Management Meeting (CONFIDENTIAL) 30 <sup>th</sup> June 2022	Janet Strang	Lesley Keenan	Meeting	Proposed	Seconded	Special Board of Management Meeting (CONFIDENTIAL) 14 <sup>th</sup> July 2022	Brian McCabe	John Nisbet	Meeting	Proposed	Seconded	Audit Sub Committee 30 <sup>th</sup> June 2022	Margaret Davison	Elizabeth Shedden	Meeting	Proposed	Seconded	Finance & Corporate Services Sub Committee (NON-CONFIDENTIAL) 7 <sup>th</sup> July 2022	Janet Strang	John Nisbet	Meeting	Proposed	Seconded	Finance & Corporate Services Sub Committee (CONFIDENTIAL) 7 <sup>th</sup> July 2022	Janet Strang	John Nisbet	Meeting	Proposed	Seconded	Housing & Property Services Sub Committee (NON-CONFIDENTIAL) 21 <sup>st</sup> July 2022	Elizabeth Shedden	June Fenelon	<b>CEO</b>
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# CUNNINGHAME HOUSING ASSOCIATION LTD

Minutes of Board of Management Meeting

Held on Thursday 18<sup>th</sup> August 2022 at 2.15 pm in the Association's Quayside Offices,  
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6.	<p><b>Risk Management Monitoring/Review (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive presented the current risk matrix to members highlighting the strategic red risks. It was noted there have been no changes to the risk register since the last Board meeting.</p> <p>The Board of Management discussed other issues that present risks to CHA and its tenants such as fuel poverty, the impact of ESSH2 and Net Zero. The Group CEO advised members that the former Lemon Aid Manager recently had a report on fuel poverty published and after discussion it was agreed that staff would reintroduce on a weekly basis a report on the number of people/families assisted given the challenges people are facing. Board members will be keep informed of the work being carried out to assist people. Members commented that the crisis goes much further than fuel poverty but the 'Cost of Living Crisis' as a whole.</p> <p><b>Board of Management noted.</b></p>		<b>CEO</b>												
7.	<p><b>Scheme of Delegation</b> None.</p>														
8.	<p><b>Making Our Communities Better Places Fund (North &amp; East Ayrshire) (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report for members to consider the funding requests received.</p> <p>The Board of Management discussed the following applications in detail and agreed the following:</p> <p><b>Nicola Russell</b> Members agreed that the full amount of £3,467 be awarded as a sponsorship on the condition that CHA branding is added to the Racing Chair. The initial amount that Nicola applied for of £1,000 should be issued from the Making Our Communities Better Places budget and the remaining balance be taken from the Marketing Budget. <b>Board of Management approved award of £3,467 to Nicola Russell.</b></p>		<b>CEO</b>												

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<p>9. <b>Making Our Communities Better Places Fund (Dumfries &amp; Galloway) (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report for members to consider the funding requests received.</p> <p>The Board of Management discussed the following applications in detail and agreed the following:</p> <p><b>Dumfries Y Gymnastics Club</b> Members agreed the £1,000 to the Dumfries Y Gymnastics Club, subject to them providing confirmation of other funding which they have been awarded to enable them to carry on with the project.</p> <p><b>Board of Management approved award of £1,000 in principle to Dumfries Y Gymnastics Club.</b></p> <p><b>Lochar Thistle Football Club</b> Members agreed to award £1,000 to the Lochar Thistle Football Club, subject to them providing further information confirming that they have been awarded/raised all other funding to enable them to purchase the new storage space required.</p> <p><b>Board of Management approved award of £1,000 in principle to Lochar Thistle Football Club.</b></p>	<p>CEO</p> <p>CEO</p>
<p>10. <b>Notifiable Events (CONFIDENTIAL)</b> None.</p>	
<p>11. <b>Secretary's Report</b> The Secretary reported the following:</p> <p><b>Correspondence</b> <i>Information which comprises personal data has been withheld because disclosure would breach applicable data protection legislation.</i></p> <p>After discussion, the Board of Management approved the share membership applications.</p> <p>New Board of Management members queried the process of awarding share membership which the Group CEO explained. The Group CEO also referred members to the Association's rulebook as follow:</p> <p><b>Rule 7.2</b> Whilst it is the Association's intention to encourage membership, the Board has absolute discretion in deciding on applications for membership and the following shall constitute grounds for refusal of an application for membership: -</p>	<p>CEO</p>







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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
17.	<ul style="list-style-type: none"> <li>the self-assessment against the Regulatory Standard is conducted annually going forward;</li> <li>the continuation of a Governance and Financial Management Improvement Plan and noted this will be presented for review 6 monthly at Board meetings going forward;</li> <li>that the Board has had sufficient assurance to give it confidence to sign the Annual Assurance Statement confirming full compliance on the date of this meeting and authorise the Chair to sign the letter to SHR confirming this decision.</li> </ul> <p>The Board of Management agreed to re-appoint John Mulholland, Mulholland Housing Consultancy to provide consultancy services to support the annual assurance review 2023/24 for the Association.</p>	<p>CEO</p> <p>CEO/Chair</p> <p>CEO</p>
18.	<p><b>Regulatory Compliance Review JWR Consultancy Report on Health &amp; Safety (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group CEO referred members to the previously circulated report which provided a 6 monthly update on the progress of the Association's Compliance review which had been prepared by Joe Dewar of JWR Consultancy.</p> <p>The Group CEO highlighted the few areas that were not 100% compliant and explained this was due to no access problems and advised that this was being addressed by staff. On the whole it is a positive report for the Association and very good governance. A further 6-month review will be provided in due course.</p> <p>The Board of Management noted the content of the report.</p>	<p>CEO</p>
19.	<p><b>Santander Restated Loan Agreement (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated paperwork which detailed the proposed restated loan agreement between the Association and Santander.</p> <p>Councillor Canning declared he would not be taking part in the decision however he had no objections. The Group CEO advised the 2 new Councillors from East and North Ayrshire that he would arrange for some of the previous reports that had been provided to members to be sent to them for their information.</p>	
20.	<p><b>Secretary's Pre AGM-Report</b></p> <p>The Secretary presented the previously circulated report to the Board of Management in line with Rule 68 "At the last Board Meeting before the annual</p>	



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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
20.	<p>general meeting, the Secretary must confirm in writing to the Board that Rules 62 to 67 have been followed or, if they have not been followed, the reasons for this. The Secretary's confirmation or report must be recorded in the minutes of the Board Meeting."</p> <p><b>The Secretary confirmed to Board of Management that all actions for 2021/2022 required in advance of the Annual General Meeting by our Rules (62 to 67 and 68) have been complied with within the required timescales.</b></p>	
21.	<p><b>Board of Management Performance Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided an update on the Board of Managements performance for the session 2021-2022.</p> <p>The Group Chief Executive advised that the Board of Management and Sub Committee meetings attendance were excellent and demonstrates the amount of work which has been completed, highlighting 81% of policies had been reviewed which alone is a huge volume of work.</p> <p>New targets will be set and the 2022/23 session and will be presented at the October meeting. Any targets not achieved in the current session will be carried over to 2022/23.</p> <p><b>Board of Management noted the content of the report.</b></p>	CEO
22.	<p><b>Year End Governance Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which helps to demonstrate compliance with Scottish Housing Regulator's Financial and Governance Performance Standards for the session 2021/2022.</p> <p><b>Board of Management noted the content of the report.</b></p>	
23.	<p><b>Individual &amp; Collective Self-Assessment Appraisals Feedback Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive Officer referred members to the previously circulated report which provided feedback from this year's Board of Management Self-Assessment Appraisal process.</p>	

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<p>The Group CEO thanked members for returning their forms, and kindly asked that everyone tries to return their collective feedback forms next year, as one had not been received.</p> <p>The feedback received from all Individual Board Member Appraisals was excellent with many strengths identified.</p> <p>Members discussed time saving options for meetings given the lengthy agendas normally received. It was agreed that all Board papers will revert back to being issued on a Friday and the agendas will be streamlined so that they are not as lengthy. The Group CEO will discuss further with the Executive Directors streamlining the Sub Committee agendas and reports. Board members suggested for example background information could be contained in an appendix for development reports rather than in the body of the report.</p> <p>A discussion took place surrounding Making Our Communities Better Places (MOCBP) applications as this can take some time to go through at meetings. The Board of Management discussed the potential to set up a new Sub Committee to consider all MOCBP applications.</p> <p><b>Members concluded that the Group CEO discuss further with staff and report back to the main Board with options.</b></p>	<p>CEO</p> <p>CEO</p>
<p><b>John McLaren left the meeting at 4:15pm</b></p>	
<p><b>*** Suspension of Standing Orders</b> At this junction the Chair requested a time extension to the Board meeting in accordance with the Associations Standing Orders.</p>	<p><b>***</b></p>
<p><b>24. 360° Chairs Appraisal Feedback Report (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided a summary of appraisal feedback from all members on the Chair and Sub-Committee Chairs. Members thanked everyone for taking the time to complete the feedback which was a worthwhile exercise.</p> <p><b>The Board of Management noted the content of the report.</b></p>	
<p><b>25. Quarterly Performance against Strategic Objectives (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report which provided an update with the quarterly performance against strategic</p>	

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<b>PRIORITY RED – SECTION 2 – IMPORTANT ITEMS MUST BE TAKEN</b>		<b>ACTION</b>
25.	<p>objectives. The Group Chief Executive commented that it was an ongoing set of excellent results with a lot of work being achieved.</p> <p>The Board of Management noted the content of the report.</p>	
26.	<p><b>CHA Proposed Charity 2022/23 (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>Willie Gibson declared an interest with regard to this item and left the meeting.</p> <p>The Group Chief Executive referred members to the previously circulated report which provided members with a proposal to support the Gordon Craig Fund by nominating the Brain Tumour Charity as CHA's charity for 2022/23. As a CHA staff member supports the charity all staff members left the meeting when a decision was being considered.</p> <p>Willie Gibson and CHA staff returned to the meeting.</p> <p>The Chair confirmed that the Board of Management had agreed The Brain Tumour Charity as CHA's nominated charity for 2022/23.</p>	CEO

<b>PRIORITY ORANGE – SECTION 3 – ITEMS TO BE TAKEN, TIME PERMITTING</b>		<b>ACTION</b>
27.	<p><b>Update on Procurement of Legal Services (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive referred members to the previously circulated report provided by the Executive Director of Development Services which detailed the outcome of the recent legal services tender.</p> <p>That the Board of Management noted that the signed Agreements are now in place with Harper Macleod (Lots 1 &amp; 3) and Taylor &amp; Henderson (Lot 2) for legal services.</p>	
28.	<p><b>Requirement of New Office – Dumfries (CONFIDENTIAL)</b> <i>(Confidential Report is commercially sensitive therefore has been withheld because disclosure would harm commercial interests.)</i></p> <p>The Group Chief Executive informed members that the existing office lease for the Dumfries office expires in January 2023 and it is no longer suitable for the Association's needs.</p> <p>The Group Chief Executive presented members with a potential new office space that may prove to be more suitable for the Association going forward. It was noted</p>	CEO

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<b>PRIORITY ORANGE – SECTION 3 – ITEMS TO BE TAKEN, TIME PERMITTING</b>		<b>ACTION</b>
28.	that staff and the Chair will be visiting the potential new office on Wednesday 24 <sup>th</sup> August.  An update will be provided to the Board with the financial details, terms and conditions offered at the special Board meeting on 25 <sup>th</sup> August 2022.	
29.	<b>Sub Committee Members for 2022/23</b> The Group Chief Executive informed members that no election is required at this year's Annual General Meeting and asked members to consider which Sub Committee they would like to stand on for the new session 2022/23.	<b>Board</b>

<b>PRIORITY GREEN – SECTION 4 – ITEMS FOR INFORMATION ONLY</b>		<b>ACTION</b>
30.	<b>Media Marketing &amp; Publications</b> The Board of Management noted the content of the report.	
31.	<b>Year End Health &amp; Safety Report</b> The Board of Management noted the content of the report.	

The Meeting closed at 4.30 pm.

	<b>Signature</b>	<b>Date</b>
<b>Approved to Proceed to Chairperson for Sign-Off:</b>		
<b>Approved for Circulation By:</b>		
<b>Proposed By:</b>		
<b>Seconded by:</b>		